

AUG 09 2006



Ralph E. Jocke  
Patent  
&  
Trademark Law

**FACSIMILE TRANSMISSION COVER SHEET**

TRANSMITTING: 3 PAGES (INCLUDING THIS PAGE)

NAME: Art Unit 3621  
Commissioner for Patents  
U.S. Patent and Trademark Office

FAX NUMBER: (571) 273-8300

DATE: August 9, 2006

SENDER: Ralph E. Jocke, Esq.

FAX NUMBER: (330) 722-6446

PHONE NUMBER: (330) 721-0000

COMMENTS: Please refer to the attached Notice of Appeal for Application 09/193,787 (D-1077+1).

If you do not receive all pages, contact the sender IMMEDIATELY at the number listed below.

The information contained in this facsimile message is confidential and intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited and will be considered at a tortious interference in our confidential business relationships. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the address below via the U.S. Postal Service. Thank you.

330 • 721 • 0000  
MEDINA

330 • 725 • 1669  
CLEVELAND

330 • 722 • 6446  
FACSIMILE

rcj@walkerandjocke.com  
E-MAIL

231 South Broadway, Medina, Ohio U.S.A. 44256-2601

AUG 09 2006

18

Practitioner's Docket No. D-1077+1

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellants: **Drummond, et al.**  
Application No.: **09/193,787**  
Filed: **November 17, 1998**  
Title: **Automated Banking Machine  
Apparatus and System**

Confirmation No. 2446  
Previous Appeal No.: 2003-1651  
Art Unit 3621  
Examiner Jalatee Worjloh

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. 41.31)

Appellants hereby **request reinstatement** of their appeal pursuant to 37 C.F.R. § 41.31. Appellants hereby appeal to the Board the decision of the Primary Examiner, mailed May 9, 2006, regarding all unallowed claims (including rejected claims 1-30).

## 1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.


08/11/2006 BABRAHA1 00000002 090428 09193787  
01 FC:1402 500.00 DA

## CERTIFICATION OF TRANSMISSION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.6(d)

## FACSIMILE

I hereby certify that, on the date shown below, this correspondence is being transmitted by facsimile to the Patent and Trademark Office at (571) 273-8300.

Date: August 9, 2006

  
Ralph E. Jocke  
01 FC:1402 340.00 CR

(Notice of Appeal for 09/193,787 — page 1 of 2)

AUG 09 2006

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 41.20(b)(1), the fee for filing the Notice of Appeal is:

Other than a small entity \$500.00

Previously paid Notice of Appeal fee \$340.00

Notice of Appeal fee due \$160.00

**3. EXTENSION OF TIME**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

**4. TOTAL FEE DUE**

A total fee (\$340) has already been paid for in a previously filed Notice of Appeal(s). If necessary, please apply the previously paid fee herein.

The total fee due is:

Additional Notice of Appeal fee \$ 160.00


**TOTAL FEE DUE \$ 160.00****5. FEE PAYMENT**

The Commissioner is authorized to charge any necessary fee associated with the filing of this Notice of Appeal and any other fee due to Deposit Account No. 09-0428 (InterBold).

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, this is a request therefor and to charge Deposit Account No. 09-0428 (InterBold).

If any additional fee for claims is required, charge Deposit Account No. 09-0428 (InterBold).

Reg. No. 31,029  
Customer No. 28995  
Tel. No.: (330) 721-0000  
Ralph E. Jocke  
WALKER & JOCKE  
231 South Broadway  
Medina, OH 44256

(Notice of Appeal for 09/193,787 — page 2 of 2)